



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 2, 2020

THE ADMINISTRATOR

The Honorable Eddie Bernice Johnson
Chairwoman
Committee on Science, Space, and Technology
U.S. House of Representatives
Washington, D.C. 20515

Dear Madam Chairwoman:

On behalf of the U.S. Environmental Protection Agency, I am writing in response to your letter dated March 20, 2020, regarding the agency's supplemental notice of proposed rulemaking to the *Strengthening Transparency in Regulatory Science* proposed rule.

As you know, this rulemaking is developing while we all deal with the significant health crisis presented by COVID-19. I signed the supplemental notice on March 3, 2020, upon which the agency submitted the supplemental notice to the Office of Federal Register for publication. On March 13, 2020, President Donald Trump declared a National Emergency due to COVID-19. The supplemental rule was eventually published in the *Federal Register* on March 18, 2020, which opened a 30-day comment period, currently set to expire on April 17, 2020. In response to the concerns expressed in your letter, and those raised by public health organizations and state officials – who, like the EPA, are focused on delivering our most critical public health missions at this time – I have decided to extend the public comment period for an additional 30-day period, through May 18, 2020.

The supplemental notice is not a new rulemaking; rather, it provides clarifications on certain terms and aspects of the 2018 proposed rule. The 2018 proposed rule was published in the *Federal Register* on April 30, 2018, and initially offered a 30-day comment period through May 30, 2018. Before that period of time lapsed, the agency decided to provide the public with more time to comment and an opportunity to provide testimony at a public hearing. That public hearing took place on July 17, 2018, in Washington, D.C.; and the comment period remained open until August 16, 2018. Altogether the initial 110-day comment period is now being supplemented by an additional 60 days – for a total period of 170 days – for the public to provide information on this proposed rule. We view this as sufficient time to afford the public with an opportunity to provide the agency with comments and supplemental information to consider as we move forward to develop a final rule to better provide scientific transparency in agency rulemakings.


Transparency in science that enables independent validation of scientific conclusions is important to advancing the agency's mission. It acknowledges that all science is welcome at the

agency and provides a clear awareness to researchers and the general public that, if finalized, the agency will utilize procedures with the goal of making the science on which future significant regulatory decisions are based more transparent, while still ensuring the protection of confidential business information, personally identifiable information and proprietary data. The supplemental notice asks for public comment on all these important clarifications.

In response to your request, the agency looks forward to briefing the committee on April 2, 2020. At the briefing, the EPA will detail the important clarifications made in the SNPRM. For example, the EPA will clarify how ensuring data are available for independent validation comports with well-established scientific methods. The EPA would also like to discuss how the rulemaking effort will provide a standard measure by which to ensure a stronger scientific foundation to key regulatory decisions and influential scientific assessments in the future. As with any important rulemaking, the agency looks forward to reviewing all comments received from the Science Advisory Board, the scientific community and the general public on the supplemental notice as we work to develop the final rule later this year.

If you have further questions, you may contact me or your staff may contact Joseph Brazauskas in the EPA's Office of Congressional and Intergovernmental Relations at Joseph.Brazauskas@epa.gov or (202) 564-5189.

Sincerely,



Andrew R. Wheeler

cc: The Honorable Frank Lucas, Ranking Member